IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO. 42 OF 2005

Union of India & Ors.....Petitioners

Vs.

Smt.S. Visalakshy.....Respondent

Mr. Y.S. Bhate with Mr. S.D. Bhsale and Mr. N.R. Prajapati i/b. T.C. Kaushik, for the Petitioners
Mr. Babu Rajan i/b. S.G. Pillai for Respondent

CORAM: **F.I. REBELLO &**
MRS.V.K.TAHILRAMANI, JJ.
DATE: 7TH JUNE,2006

P.C.

. The petitioners Union of India by the present petition impugn the order dated 7th October, 2003 passed by Central Administrative Tribunal dated 19th March, 2004 in R.P. No.78 of 2003 in O.A. No.327 of 2003. At the hearing of this petition the only contention urged on behalf of the petitioners is that the respondent who was the original applicant before the Tribunal was not in service of the Central Government and consequently the period of service served with the Statutory Corporation could not have been counted. The Tribunal has noted that at the time of offer of appointment the respondent was called upon to give intimation whether she had served or was under obligation to serve in any Central Government Department, State Government or a public authority.

. There is no dispute and the learned Counsel

for the petitioners on seeking instructions points out that the respondent was serving in a Statutory Corporation under the control of the Government of India. In other words that would be a public authority. Once that be the case, we do not find that the Tribunal committed any error apparent on the face of the record. Apart from that, we may note that before the Tribunal that really was not the point urged. What was urged and as reflected in the order of the Tribunal was that the application was made beyond time. A Review Petition, thereafter came to be filed by the petitioners urging the point now urged before this Court. That review came to be dismissed. At any rate after the finding that the respondent was in the service of a public authority, we do not find any cause for interference with the findings of the CAT and as such the petition stands disposed of.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI,J)**